

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KENNY CORCORAN,

CASE NO. C21-0001JLR

Plaintiff,

ORDER DENYING MOTION TO  
CHANGE CASE SCHEDULE

TIM GERVAIS, et al.,

## Defendants.

Before the court is Plaintiff Kenny Corcoran's motion to change the case schedule.

(Mot. (Dkt. # 14); *see also* Reply (Dkt. # 17).) Defendant Tim Gervais opposes Mr.

Corcoran's motion. (Resp. (Dkt. # 15).) The court has reviewed the motion, the

submissions in support of and in opposition to the motion, the remainder of the re-

and the applicable law. Being fully advised, the court DENIES Mr. Corcoran's motion.

Mr. Corcoran filed this maritime wage and injury action on January 3, 2021.

against its co-conspirator Defendant Tim Corcoran and its co-conspirator E/V Wabuwing, a

1 several setbacks, Mr. Corcoran served Defendants in April 2021, and Defendants  
2 answered the complaint on May 24, 2021. (See 4/1/21 Order (Dkt. # 7); Aff. (Dkt. # 8);  
3 Ans. (Dkt. # 10).)

4 On June 29, 2021, the parties filed their joint status report. (JSR (Dkt. # 12).) The  
5 parties represented that they believed the matter would be ready for trial by April 4, 2022.  
6 (Id. at 2.) The court entered its scheduling order on July 15, 2021. (Sched. Order (Dkt.  
7 # 13).) In that order, the court set the discovery deadline on December 19, 2022; the  
8 dispositive motions deadline on January 17, 2023; and the trial date on April 17, 2023.  
9 (Id.)

10 On January 28, 2022—more than six months after the court issued its scheduling  
11 order—Mr. Corcoran filed the instant motion to change the case schedule. (See *generally*  
12 Mot.) Mr. Corcoran asks the court to move the parties’ trial to a date in April 2022 and  
13 to reset the pretrial deadlines in accordance with that new date. (Id.) Mr. Gervais  
14 opposes Mr. Corcoran’s motion. (See Resp. at 1.) He states that he has relied on the  
15 court’s scheduling order in defending this case and that, as a result, only minimal  
16 discovery has taken place so far. (Id. at 3.) In reply, Mr. Corcoran concedes that an  
17 April 2022 trial date would not allow sufficient time for the parties to prepare for trial but  
18 asks that trial be reset for a date later in 2022. (Reply at 1.)

19 Pursuant to Federal Rule of Civil Procedure 16(b)(4), “[a] schedule may only be  
20 modified for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). Mr.  
21 Corcoran has made no effort to establish that good cause exists to modify the pretrial  
22 schedule set in July 2021. (See *generally* Mot.; Reply.) Rather, he simply states that the

1 trial date set by the court is more than two years after he filed his complaint on January 2,  
2 2021; one year after the date the parties anticipated that they would be ready for trial  
3 when they filed their joint status report in June 2021; and a year later than he believes  
4 trial would “traditionally” have been set in this district. (Mot. at 1; Reply at 1.)  
5 Accordingly, because Mr. Corcoran has not established good cause, and because Mr.  
6 Gervais has reasonably relied on the court’s July 15, 2021 scheduling order, the court  
7 DENIES Mr. Corcoran’s motion to change the case schedule (Dkt. # 14).

8 Dated this 18th day of February, 2022.

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12 JAMES L. ROBART  
13 United States District Judge  
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